

RECEIVED  
CENTRAL FAX CENTER

MAR 27 2006

**MARTIN & FERRARO, LLP**  
ATTORNEYS AT LAW  
1925 Century Park East, 17<sup>th</sup> Floor  
Los Angeles, California 90067Telephone  
(310) 286-9800Facsimile  
(310) 286-2795

---

**FACSIMILE TRANSMITTAL**

---

**TO:****FROM:****Name:** Mail Stop AMENDMENT  
Group Art Unit 3732**Name:** Amedeo F. Ferraro**Firm:** U.S. Patent & Trademark Office**Phone No.:** 310-286-9800**Fax No.:** 571-273-8300**No. of Pages (including this):** 4**Subject:** U.S. Patent Application No. 10/809,242**Date:** March 27, 2006

Gary K. Michelson

Filed: March 25, 2004

INSTRUMENTATION FOR USE WITH DYNAMIC  
SINGLE-LOCK ANTERIOR CERVICAL PLATE  
SYSTEM HAVING NON-DETACHABLY  
FASTENED AND MOVEABLE SEGMENTS**Confirmation Copy to Follow:** NO

Attorney Docket No. 101.0112-01000

Customer No. 22882

Confirmation No.: 6717

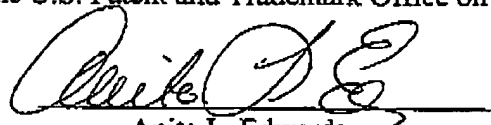
---

**Message:**

---

**CERTIFICATE OF TRANSMISSION UNDER 37 CFR 1.8**

I hereby certify that the attached Information Disclosure Statement Under 37 C.F.R. § 1.97(b) and Form PTO-1449 are being facsimile transmitted to the U.S. Patent and Trademark Office on March 27, 2006.

  
Anita L. Edwards

If there is a problem with this transmission please call Sandy Blackmon at 330-877-1202 or the sender at the number above.

---

The information contained in this facsimile message is privileged and confidential information intended only for the use of the addressee listed above. If you are not the intended recipient or the employee or agent responsible to deliver this message to the intended recipient, please do not use this transmission in any way, but contact the sender by telephone.

---

RECEIVED  
CENTRAL FAX CENTER

MAR 27 2006

PATENT  
Attorney Docket No. 101.0112-01000  
Customer No. 22882

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:	)	
Gary K. Michelson, M.D.	)	Confirmation No.: 6717
Serial No.: 10/809,242	)	
Filed: March 25, 2004	)	Group Art Unit: 3732
For: INSTRUMENTATION FOR USE WITH	)	
DYNAMIC SINGLE-LOCK ANTERIOR	)	
CERVICAL PLATE SYSTEM HAVING	)	
NON-DETACHABLY FASTENED AND	)	
MOVEABLE SEGMENTS	)	

Mail Stop AMENDMENT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(b)**

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), applicant brings to the attention of the Examiner the document listed on the attached PTO 1449. This Information Disclosure Statement is being filed before the mailing date of a first Office Action on the merits for the above-referenced application.

Applicant respectfully requests that the Examiner consider the listed document and indicate that it was considered by making appropriate notations on the attached form.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that the listed document is material or constitutes "prior art." If the Examiner applies the document as prior art against any claims in the application and applicant determines that the cited document does not constitute "prior art" under United States law, applicant reserves the right to present to the office the relevant facts and law regarding the appropriate status of such document.

Applicant further reserves the right to take appropriate action to establish the patentability of the disclosed invention over the listed document, should the document be applied against the claims of the present application.

If there is any fee due in connection with the filing of this Statement, please charge the fee to our Deposit Account No. 50-3726.

Respectfully submitted,

MARTIN & FERRARO, LLP

Date: March 27, 2006

By: 

Amedeo Ferraro

Registration No. 37,129

1557 Lake O'Pines Street, NE  
Hartville, Ohio 44632  
Telephone: (330) 877-0700  
Facsimile: (330) 877-2030

**RECEIVED  
CENTRAL FAX CENTER**

03-27-06 04:55pm From-MARTIN & FERRARO LLP CA

3102862795

T-899 P.04/04 F-462

**MAR 27 2006**

OMB 0651-0031

Substitute for FORM PTO-1449	Attorney Docket Number 101.0112-01000	Customer No. 22882
<b>INFORMATION DISCLOSURE CITATION IN AN APPLICATION</b>	Applicant Gary K. Michelson	Application Number 10/809,242
(Use several sheets if necessary) Sheet <u>1</u> of <u>1</u>	Filing Date March 25, 2004	Group Art Unit 3732
		Examiner N/A

**U.S. PATENT DOCUMENTS**

EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	4,487,809	8-1984	Brighton			

**FOREIGN PATENT DOCUMENTS**

	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION (YES/NO)

**OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)**


EXAMINER	DATE CONSIDERED
----------	-----------------

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP § 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to the applicant.